

**City Council
Pre-Agenda Meeting
Tuesday
March 14, 2006
4:00 p.m.**

The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, March 14, 2006 at Trinity City Hall, 6701 NC Highway 62, Trinity, NC 27370.

MEMBERS PRESENT: Mayor, Fran Andrews; Council members Karen Bridges, Barbara Ewings, Barry Lambeth, Bob Labonte, Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: Phil Brown

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/Finance Officer, Debbie Hinson; and other interested parties.

ITEM 1. Welcome

Mayor Andrews called the March 14, 2006 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:00 pm and welcomed everyone present.

ITEM II. Invocation

The invocation was given by Council member Lambeth.

III. Recycling Site Improvements (David Townsend, Randolph County Director of Public Work) (tentative)

IV. Proposed items for the March 21, 2006 Regular Meeting of the Trinity City Council

Review and Approval of Minutes

- 1. January 14, 2006 Retreat Minutes**
- 2. February 13, 2006 Pre-Agenda Meeting**
- 3. February 21, 2006 Regular City Council Meeting**
- 4. February 27, 2006 Special City Council Meeting**

Mayor Andrews called for discussion and or motion to add this item to the March 21, 2006 Regular Meeting Agenda.

Motion to add the above items to the March 21, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Ewings, and approved unanimously by all Council members present.

Proclamations

5. American Red Cross Month

Mayor Andrews called for discussion and or motion to add this item to the March 21, 2006 Regular Meeting Agenda.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Ewings, seconded by Council member Meredith, and approved unanimously by all Council members present..

6. Week of the Young Child (April 2-8, 2006)

Mayor Andrews called for discussion and or motion to add this item to the March 21, 2006 Regular Meeting Agenda.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Meredith, seconded by Council member Talbert, and approved unanimously by all Council members present..

Reports

7. Annual report and Funding Request for Archdale-Trinity Chamber of Commerce (Beverly Nelson, President)

Mayor Andrews called for discussion and or motion to add this item to the March 21, 2006 Regular Meeting Agenda advising members the amount requested was \$5,000.00.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Ewings, seconded by Council member Talbert, and approved unanimously by all Council members present..

8. Annual Report and Funding Request for Archdale Library (George Taylor, Branch Manager)

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda advising members the amount requested was \$5,000.00.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Ewings, seconded by Council member Talbert, and approved unanimously by all Council members present..

9. Wastewater Projects Update (Randy McNeill, Davis –Martin-Powell & Associates.)

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Lambeth, seconded by Council member Ewings, and approved unanimously by all Council members present..

Public Hearings

- 10. Text Amendments to Zoning and Subdivision Ordinances**
 - A. Amendments mandated by Senate Bills 518 and 814**
 - B. Amendments to Agricultural Uses.**

Mayor Andrews called Mr. Stumb to review this information with Council.

Mr. Stumb reviewed the changes by Power Point with Council members.

Item 10-A

After review of the Power Point the following item were discussed.

Page 29, 2nd gray paragraph, Section 16-8 of the Zoning Ordinance: After discussion concerning this language, Mr. Stumb advised Council this was a typo and it should read the same as the last paragraph in Item 26 on page 77 and would be corrected.

Pg 31 17-1 last sentence: correct typo- Mr. Stumb will delete “and any other officially adopted” typed 2 times. Council member Bridges discussed the language contained in this sentence concerning if the Planning Board passing on to Council an item that was inconsistent and how this worked to allow Council to consider the request even if the item was inconsistent. Mr. Stumb advised Council that was correct and if it was inconsistent that is where the reasoning needs to come in. Maybe there was something contained in the Land Use Plan that did not consider the area or if traffic has become an issue since the approval of the Land Use Plan.

Page 28, Section 16-7 section B last sentence: Mr. Stumb advised members a change was needed in the following item “provided no change is permitted uses be authorized by variance” needs to read “**provided no change in permitted uses be authorized by variance.**”

Page 33, first full paragraph: Member Bridges discussed the first sentence and the wording use in the sentence” The foregoing provisions concerning protest shall not be applicable to any amendment which initially zones property added to the territorial coverage of the ordinance as a result of annexation or otherwise -----” Mr. Stumb advised members this verbiage was pulled directly from the Statutes. I think they called this something other than annexation but I guess when Trinity incorporated that would have been the initial zoning. No changes were made in this wording after explanation from Mr. Stumb.

Mayor Andrews called for other questions or discussion.

Council member Talbert asked what action Council needed to take on this item.

Mayor Andrews advised Member Talbert that Council needed to take action to put this item on the March 21, 2006 Regular Meeting Agenda for a Public Hearing.

There was discussion between Council members, Mayor Andrews and Manager Bailie why Council needed to vote on these items even though they were mandated. Manager Bailie advised members this needed to be on the Agenda because it reflected changes in the Ordinance.

Attorney Wilhoit advised members that the General Statutes stated a Public Hearing must be held and that he felt the reason for this was just to inform the public and make them aware that these changes were going to be incorporated into the City's Ordinance.

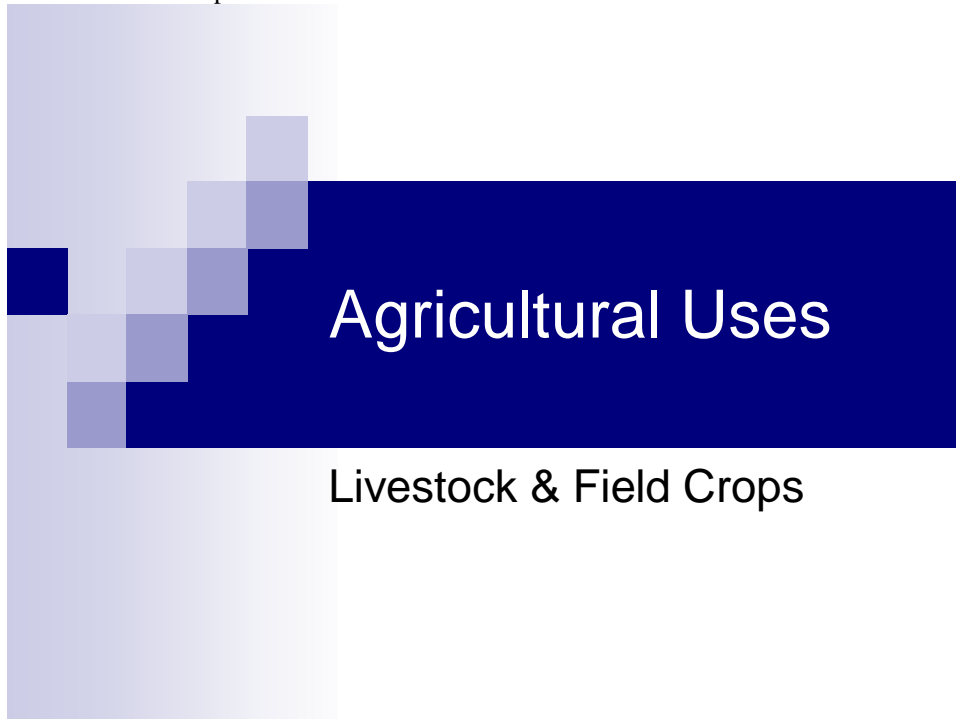
Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Talbert, seconded by Council member Labonte, and approved unanimously by all Council members present.

10-B

Mayor Andrews opened this section for discussion and asked Mr. Stumb for comments on this item.

Mr. Stumb advised members the changes in this section came about because of 2 situations the most recent being one on Jerry Street when an individual wanted to locate some horses on a smaller lot. The other situation was a similar situation where the individual currently has horses on a smaller lot. I did some research and ran this through the Planning/Zoning Board as a whole addressing Agricultural Uses. We initially wanted to just discuss livestock but other issues came up.

The first one is to separate Agricultural Uses into 2 uses. One would be Agricultural Uses Livestock and the other would be Field Crops.



Livestock

	RA
Agricultural Use – Livestock, see note 12	X

- 5 acres minimum for pasture area for animals
- Pasture area can only be used for keeping of animals and buildings associated with animal use
- Fencing around pasture area shall be required

The area of 5 acres must be pasture only and can not include the residency. It must be strictly 5 acres of pasture and could have a barn located on the 5 acres. Council member Talbert discussed the wording of the type of fencing and asked if the wording could not specify secure fencing. Mr. Stumb advised Council that he believed it did state secure fencing in the proposed Ordinance change but that he would verify the wording.

Council members discussed the determination of 5 acres and the note included that some members felt this was a little excessive and felt that could be a little less. Council member discussed his feelings on overacting as well as the high percentage of rural area (approximately 90%) still located inside the City of Trinity. There are a lot of residents that own horses, cows, and goats within the City. Council members discussed the Grandfathering clause and the time period covered by this item. It was Council consensus that the time period for this was 6 months.

Mr. Stumb and Council continued discussion on the restrictiveness of size and how the 5 acre number was chosen. Mr. Stumb discussed the map included in the power point that identified the RA areas that would permit horses and cows as well as R-40 or Highway Commercial/Industrial areas. For the most part all RA lots are to be more than an acre and most are probably more than 5 acres. They probably average 50 + acres per lot. There are some lots that would be 1 to 2 acres that would be affected if the 5 acres is applied. Mr. Stumb and Council discussed how the care of the horses such as the type of food supplied and how the owners cleaned up after the horse could also determine the amount of property needed. Council member Ewings discussed the points of odor, rodents, and flies from the view point of a former horse owner.

Council member Bridges discussed the definition included concerning the Agricultural Use-Livestock and discussed the uses allowed such as livestock production including milk, butter, cheese, eggs, meat, fur and honey. There was discussion among Council members concerning the amount of property needed to do some of these uses and the fact that 5 acres would not be enough property to permit some of these uses. Council member Bridges discussed her dislike concerning this definition.

Mayor Andrews discussed how the 5 acre stipulation did not always address or prevent the animal or animals from getting next to the neighbors house. Mr. Stumb advised Council the setbacks would be set at 10 feet for the side property line, and 20 to 25 feet for rear property lines. This will keep it off the property line but I am not sure that this would help the odor issues.

Field Crops

	RA	R-40	R-20	R-12	MFR	RM	O-I	CS	HC	M-1	M-2
Agricultural Uses – Field Crops	x	x	x	x	x	x	x	x	x	x	x

- allowing field crops in all zoning districts will allow properties in transition to be used for agricultural use

RA (zoning district)

- 5 acres minimum lot size for the RA zoning district
- **Limitation:** anyone with a lot of 5 acres or less would have to seek a rezoning before dividing their lot.

There was further discussion concerning conversation held during the Planning/Zoning Meeting. Mr. Stumb advised Council members if these changes were approved they will go into the Subdivision Ordinance not the Animal Control Ordinance. There was further discussion concerning the need to address limiting the number of animals in the Animal Control Ordinance in conjunction with limiting the acreage.

Mr. Stumb advised Council that new subdivisions such as Colonial Village would contain something in the deed restrictions that would address this situation. We have also eliminated Agriculture Uses or the livestock from R-12. Moving forward this will not be an issue for new developments and really affects the older subdivisions.

After further discussion concerning the need to set an acreage, Attorney Wilhoit advised Council they could set a minimum acreage. This will not prevent you from revisiting this issue if you feel the amount that you set is too large or to small. Council member Labonte discussed the need to have something in the Ordinance to cover this in the future as well as what is happening now, however we do not need to write something that has gray areas that will open something up to try to use for what they would like to accomplish.

Council member Reddick discussed her concerns about the run off that could go down into the creek. Council member Labonte asked Mr. Stumb what comments came from the Animal Control Officer when he visited the area being discussed. Mr. Stumb advised Council that the Animal Control Officer did not have a lot of comments based on what the owner said during their conversation. The owner advised the Animal Control Officer that he planned to bring in additional food for the horses and that he planned to clean up after the horses. He said based on what he heard there would not be any problems at this time but he added that if the horses were not taken care of he could address it from an animal cruelty situation.

Manager Bailie advised Council that she saw this situation as 3 problems. One is that this property is zoned RA. I think that the City needs to address a minimum lot size for RA to avoid this in the future. If a lot is subdivided to 1 acre it should be rezoned and should not be RA. This is a by-product of what the Planning/Zoning Board and Mr. Stumb have come up with. Currently this is set at 5 acres. If this turns out this is too much it could be changed or RA could be limited to 5 acres and the pasture land could be changed to be smaller if Council feels that is what needs to be done. The other thing brought out during this discussion is how the City can address the current situation. After research it seems that this owner is in compliance at this time based on the Ordinances that the City has in effect at this time. If Council wants to make this retroactive it will be made retroactive for everyone.

Council member Labonte and Mr. Stumb discussed the Public Nuisance Ordinance in Randolph County and if it addressed the odor or smell. Mr. Stumb advised Council that the City had a Public Nuisance Ordinance and it does address noxious smells. The smell could be addressed somewhat with this Ordinance.

Council member Bridges made a motion to table this item until the April Pre-Agenda Meeting.

There was discussion between Council and Attorney Wilhoit concerning the Public Hearing advertisement that had already ran for this item. Manager Bailie advised Council that Council could continue this item after the Public Hearing if they felt they needed further information prior to making a decision at the Regular Meeting. This would eliminate advertising this item again.

Council member Bridges rescinded her original motion and made the motion to add this item to the March 21, 2006 Regular Meeting Agenda, seconded by Council member Talbert and approved unanimously by all Council members present.

Unfinished Business

11. Cold Brook Ct.

- A. Street Paving Guidelines (Recommendation from Utilities Committee)**
- B. Resolution directing that the street improvements on Cold Brook Ct. be Undertaken**

(tabled from January Pre-Agenda Meeting)

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie advised Council that the Utilities Committee discussed over the course of 2 meetings paving private roads and specifically how it related to the petition that the City received from the Cold Brook Court residents. Based on their discussions from the first meeting I put together a draft of procedures that they reviewed by paragraph at their last meeting. They have forwarded this to the City Council and recommend approval.

Manager Bailie advised Council that the Committee considered 3 scenarios.

1. The City set aside a certain amount of money each year to pave private roads.
2. A consideration of paving roads as done by the State of North Carolina. This requires that the property owners bring the road up to state standards and then the city would come in and pave them.
3. To follow what is allowed by the State Statutes for cities. This is to accept a petition from the property owners, follow the procedures that we have followed with the Cold Brook Court process by holding the Public Hearing process and then to levy assessment to the residents over the course of 10 years.

Manager Bailie reviewed the draft guidelines and procedures enclosed in the agenda for accepting private roads into the City's street system and sharing the cost of improvements.

During the review, Manager Bailie discussed with Council how stipulations included in number 3 affected Cold Brook Court. For the Cold Brook Court petition 6 of 11 signed the petition. At the Public Hearing one person who didn't sign the petition spoke in favor of the request, which then changed the total to 7 of 11. One person spoke who did not sign the petition in opposition to the request. I believe that we are to assume this person spoke for himself and his wife. This would then change the vote to 7 for and 2 against the request. We never heard anything from the other 2 property owners. They did not come to the public hearing or did not state their position in writing. Under the guidelines established they would be calculated to be in favor of the request. This would now make the total vote to 9 for and 2 against of the 11 total property owners in the Cold Brook Court area.

After review Manager Bailie asked Council to review the options and contact her with any questions they may have prior to the Regular Council Meeting. There was discussion between Manager Bailie and Council members concerning the basis of assessment when road frontage is used to determine the basis of assessment as addressed with items A through C.

Manager Bailie advised Council that she currently had these Guidelines on the Agenda for consideration of approval. If the Guidelines are approved the next step would be to resume where we stopped in December after the Public Hearing. Council will need to consider the Resolution included Directing that the Street Improvements be undertaken. If adopted Council must specify the basis of assessment. There was discussion concerning the previous type of assessment requested by the property owners. The Resolution is written and based on what was originally submitted. Manager Bailie discussed page 92 that showed the estimated impacts for all of the basis of assessment. She asked Council to review pages 91 and 92 to try to determine the option that Council feels the fairest option to assess the residents. This will need to be decided at the Regular Council Meeting.

Motion by Council member Bridges to add the Street Paving Guidelines with amendments as discussed and the Resolution Directing that the Street Improvements be undertaken on the March 21, 2006 Regular Meeting Agenda, seconded by Council member Talbert and approved unanimously by all Council members present.

New Business

1. Funding Request- General Hardee Request

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie discussed this item with Council members advising them this was the same group that came to the City last fall asking for help to fund this event. At that time the Council had concerns about insurance and the fact that this group was not a 501C organization tabled the request. They have come back and we have talked with them. The Finance Officer has put together a recommendation if Council wishes to consider funding this group.

Ms. Hinson advised Council she felt this request should be considered and it was her recommendation to base funding on a receipt reimbursement not to exceed \$600.00. This will allow them to rent the tent, table, chairs, or any other items up to the amount approved by Council.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Bridges, seconded by Council member Labonte , and approved unanimously by all Council members present.

13. Request form Guil-Rand Fire Department to Connect New Fire Station to Hopewell Elementary School Sewer Line.

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie advised Council members this item had been pulled from the February Agenda and the request has been made to put this item back on the Agenda. She advised Council that she had discussed this with Brian Cox, Guil-Rand Fire Department. He has advised me that this was being done as a back up plan and they are aware that they will be required to hook into our system when Phase 2 construction reaches that area. In the past Council has agreed to requests of this nature.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Lambeth, seconded by Council member Meredith, and approved unanimously by all Council members present.

14. Special Intensity Allocation Request for Commercial Lot in Colonial Village.

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Mr. Stumb advised Council members this request was from proposed buyer for lot 100. They want to do a fast food restaurant. He plans to build a Subway and has made a request for additional Special Intensity Allocation to exceed up to 55%. Staff and Planning Members suggest 60% with 2 year limit. If the additional 5% granted above the amount originally requested is not used in 2 years this 5% will revert to the City.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Talbert, seconded by Council member Labonte, and approved unanimously by all Council members present.

15. Street Lighting- Recommendation for Additional Street Lights

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie advised Council this was a recommendation from the Utilities Committee for the next phase of street lighting. They have suggested lighting be placed on the other sides of the road at the intersections of Interstate 85, Hopewell Church and Finch Farm Road, for the entire length of Meadowbrook and Turnpike. These will be after our current projects are completed which are Ronniedale and Fairview Church Road.

Motion to add the above item to the March 21, 2006 Regular City Council Meeting by Council member Ewings, seconded by Council member Meredith , and approved unanimously by all Council members present.

16. RFP for Audit Services

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie advised Council that our current auditors Dixon-Hughes has advised us that their contract price for our Annual Audit will be increasing \$ 4,000.00 (from 13,000 to 17,000). We feel that we may need to seek RFPs for this service. It may be in the end that other firms will come close to this amount and we may stay with our current firm. Manager Bailie advised Council that she would like permission to seek RFPs for Audit from other firms.

Motion by Council member Talbert for Manager Bailie and staff to seek RFPs for Audit Services for the City of Trinity seconded by Council member Ewings and approved unanimously by all Council members present.

17. City Council Rules of Procedure

Mayor Andrews discussed conversation with Manager Bailie and advised Council that since this was such a large item that she felt like Council should consider discussion of 1 or 2 item each month. She suggested that Council read item 1, 2, 3, & 4 and continue discussion of additional items at each meeting. Mayor Andrews suggested that Council begin next month if time permitted. By consensus, the Board agreed to do so.

18. Board Appointments

A. Planning & Zoning Board (Ward 2)

B. Utilities Committee (Ward 4)

Mayor Andrews called for discussion and or motion to add these items to the March 21, 2006 Regular Meeting Agenda.

Manager Bailie advised Mayor and Council members that 2 applications had been received for the opening in Ward 2 for the Planning/Zoning Board. We did not receive any for the Utilities Committee position in Ward 4. My suggestion is to hold the Utilities Committee position open for another month and see if any applications are received.

After further discussion *Council member Bridges made a motion to add the appointment to Ward 2 Planning/Zoning Board to the March 21, 2006, Regular Meeting Agenda, seconded by Council member Meredith and approved unanimously by all Council members present.*

Additional Pre-Agenda Meeting Business

V. Business from Mayor and Council

Business from Council members

Council member Labonte discussed his feelings concerning the need for the City of Trinity to look at allowing alcohol sales in the City. We need to establish a committee to look into this and see what steps we need to follow to get into this. The economic impact is such that I feel we can not let the opportunity slide away.

Manager Bailie stated that she and Mayor Andrews had discussed this and asked the Mayor if she remembered when an election could be held. Mayor Andrews advised members that a Special Election could be done this fall, but will not be able to do this any other way until next year. You can only do a regular election of alcohol sales in odd years.

Attorney Wilhoit discussed the expense in setting up a Special Election. That is why this is usually done at the primary in May or do it with a fall Regular Election.

Council member Meredith asked if Council agreed to have a vote on this could this election be implemented by November.

Attorney Wilhoit advised members that the Board will vote to put it on referendum to be voted by residents. The Board will determine what area they want to allow. The procedures are set out in the NC General Statutes. You can choose to utilize all alcohol options or choose only certain items. We can get information if needed for Council's review.

Manager Bailie advised Mayor and Council members that she had a memo she put together at a prior years Retreat and that she would make copies of this memo and provide them at the Regular City Council Meeting. We will try to figure out the election schedules and what things will need to be done in order to get it for the next election if that is Council's decision.

Council member Labonte stated he felt the City needed to look at this because of the additional revenue it would generate since Trinity has such a low tax rate and could help boost the revenue dollars received in Trinity. Council member Meredith stated he felt if Council was going to consider all items for alcohol it should be on the ballot this year.

Council member Labonte stated he felt this was a revenue issue only. It is available to everyone and is an individual's choice whether he wants to participate or not.

Manager Bailie advised Mayor and Council members that she and Attorney Wilhoit would gather information concerning this item and provide it to Council.

Business from Mayor

Mayor Andrews asked that Darrell Frye be added to the Agenda as the 1st item for the Regular Meeting Agenda. He is going to announce that the City is getting an ambulance in the City. It will be located at the fire station on the corner of Mendenhall and Surret Drive. He did advise me that if the weather is bad it will not be at this location since there is not room to house the ambulance inside the building.

Motion by Council member Meredith to add Darrell Frye to the Agenda as requested by Mayor Andrews seconded by Council member Talbert and approved unanimously by all Council members present.

VI. Business from City Manager

▪ **Trinity at the Crossroads**

David Townsend

Manager Bailie discussed plans for David Townsend to come and speak to Council. He plans to come to the next Pre-Agenda Meeting. He is still talking about a full blown convenience site in Trinity and now he is eying our City property. I told him that Council did not think they needed a transfer station in the City of Trinity. The elected officials might be the ones that this Council needs to talk to in an effort to reinforce your desires.

Land Development Committee

The Land Development Plan Committee is going to be going on a field trip on April 05, 2006. We will be going to Davidson, Huntersville, and Cornelius. We will be visiting several places where the cities are doing some interesting things with zoning, planning and development. We would also like to invite any of the Council members who would like to come and join us. We are also inviting members of the Planning/Zoning Board. We are looking to rent a bus so that we can all travel together. We will give you all the details later about transportation. If you have any interest in being a part of this please make a note to reserve April 05, 2006 on your calendars. This will probably start early in the morning and last all day. We are also trying to set up some meetings during this excursion with other City Officials and developers. We hope that you will plan to attend. We feel this will be very educational and enlightening.

Trinity at the Crossroads

Manager Bailie discussed her memo enclosed in the Agenda Packet that mentioned some of her thoughts on growth and development. What really brought this to the forefront of my attention was the 2 annexations that the city is potentially looking at as well as the 3 rezoning requests that Council is expected to consider in April. One of the rezoning requests is on 62 west of Finch Farm Road. The request is to rezone to Highway Commercial. The other one is to consider rezoning 150 acres to Residential Use and the third one is a rezoning request for Highway Commercial for property located on Braxton Craven Road.

It seems to me Trinity is at the Crossroads. We have the growth and development coming and are working on a Land Use Plan. However, Council will have to make decisions before the Land Use Plan is completed and anything happens. I thought it might be good if we spend 10 minutes at each meeting to talk about issues that affect or that are relative to growth and development.

Manager Bailie reviewed an Agenda she put together to discuss at today's meeting. She advised Council that she would like to introduce a topic for Council's discussion while she took notes on their comments. She would come back at the next meeting and review what she felt Council discussed at the prior meeting. By doing this maybe we can develop a direction that you as the leaders of the City would like to pursue concerning growth and development.

Guiderule # 3: Explain the reasons behind your statements

I. Is the City at a Crossroads in regard to growth and development?

A. Why or Why not (Consensus)

Council member Talbert asked Manager Bailie why she felt the City was at a crossroads.

Manager Bailie advised members she felt that the City was at the crossroads due to being faced with the 2 annexations and 3 rezoning requests. Are we going to guide this or are we going to let it guide us. Council member Bridges stated she felt it was not if development would come but when development would come. Council member Meredith stated he did not feel the City was at a crossroads because the City had been preparing for it. If we had not done any preparation then I think there would be more to do than there is now. We have the new subdivisions just about covered. I am not sure about the Land Use but we have given it thought and we have prepared as far as we could. We will see more things that we need to do and address as we go along. I do not believe we are at a crossroads yet but could get there quickly.

Manager Bailie asked Council members what they felt would take Trinity to the crossroads. Council member Meredith stated he felt 3 or 4 large subdivisions going on at one time and some commercial business that may want to locate in Trinity. This could put us in a position where we need to have police services and things of this nature.

Council member Bridges discussed her feelings and conversations with others concerning the need for law enforcement. It is better to have the law enforcement sooner rather than later. Mayor Andrews stated it was always

better to be pro-active than to be reactive. Council member Meredith discussed how the same persons did not want a tax increase. Council member Talbert stated it was his opinion that Trinity reached the crossroads when the residents voted to become a City. That was the crossroads. Now we are putting in the sewer and now we have our work cut out for us. Council member Ewings talked about the change that would come with this growth. We have to give up the thought that this is the way we were. We can't grow by standing still. We will not grow by standing still. I am inclined to agree that yes we have definitely come to a crossroad. I also believe that we began development and it is obvious that in this development we are coming across stumbling blocks that may be a set back but we have begun development. Council member Talbert stated that the City could not be afraid of making a mistake. We might make a few mistakes. We are bound to make a mistake but we are building a City from ground 0 and we will be huge when we are finished. We have a lot of work ahead of us and we will make a few mistakes but we can't stop now.

Manager Bailie agreed with Council member Talbert and stated that the City is going to grow and develop. We made that commitment when we did the Bond Referendum and committed to putting sewer in the ground. Not growing is not an option. We are going to grow and develop. I am not really thinking of this in terms of services such as are we ready from a law enforcement standpoint, or fire protection. I'm thinking of it more as are we ready and do we know what kind of development we want.

Council member Lambeth discussed the Highway Commercial request for property located behind the Trinity Grill. I question this at this location and discussed the current problems with traffic generated from the schools. What type of Highway Commercial Development do they plan for this location?

Council member Bridges stated she felt the City needed a Thoroughfare Overlay and felt the City needed to look at placing restrictions on development or otherwise the City will sink to the lowest common denominator which will not be good development. We have a low tax rate and an abundance of land. People will put things in here that they can't get away with in other place. Council member Lambeth stated that on one hand he agreed with Council member Bridges. If we rezone this property to Highway Commercial that opens the door for anything he wants to put at this location. Council can say they do not feel the developer would put certain types of development but they will have no assurances because if this parcel was rezoned the rezoning would allow it. We are already in danger of this happening for properties that have been rezoned. Anything permitted in the Table of Uses would be allowed in the appropriate zoning.

Council member Reddick discussed the last meeting and the discussion of annexation of property. The statement was made that some members did not feel the City should bring all of the things being discussed until the City established some guidelines. Yet we as a Council do not want to pass guidelines because we may be restricting property owners. There was discussion concerning the guidelines that Council member Reddick referred to and conversations held during the discussion of Conditional Zoning and the Thoroughfare Overlay District.

Council member Talbert asked if the City had exhausted all of the current possibilities with the City's current Zoning for shaping the City. Is our current zoning strong enough or what zoning could we change to make it stronger. I've not heard anything come from anyone concerning this and we need this. What is the big deal about Thoroughfare Overlay? Maybe we need this everywhere. What limitations are we facing on amendments to our Zoning to cause it to be city wide?

Council members discussed prior points of topic whereby some Council members wanted to consider additional restrictions or stipulations as well as conversation concerning no restrictions by some Council members. Council member Lambeth stated that the Council needed to find a medium. Trinity will grow simply because of the tax rate. It will cost so little for a developer to build and be a part of Trinity they do not want to go to Guilford County or anywhere else. Council member Bridges stated if the City did not institute some type of restrictions developers will be able to put anything in the City and it will end up with an unwanted type of growth and development. Council member Lambeth stated the City could institute some kind of restrictions that would be agreeable to both the City and the developer but we must come together to do this. We must look at something and I do not care what you call it; Overlay District, Appearance Guidelines, whatever. We have to do something. Council member Talbert asked if the City could not establish Citywide Appearance Standards.

Manager Bailie advised Council that the City could do City Wide Appearance Standards if this was Council's desire. Having said this if you say we do not want metal buildings is that not creating a burden on developers where it might be o.k. to put a metal building. Council member Talbert stated that it did not have to specify no metal buildings but to set Appearance Standards for commercial buildings on the highway that are going to be trading with the public. Industrial buildings would be another thing. We already have industrial buildings in the City. Do we need a street full of metal buildings like we have at the corner? I do not think so.

Council member Labonte stated the Overlay presented was o.k. but some of the restrictions in the beginning were more than what was needed. I am not against an Overlay District but we need to be careful that we do not hamper

growth in the city. When we do things here we must remember that the Council was elected by the people to represent them. I try to represent the people I talk to the best I can. I want to represent their views through me. If I lose an argument such as the discussion concerning Conditional Zoning it is over. If someone calls me and ask what happened I express to him how I voted and the views I presented. We need to agree to disagree and not be mad.

Council member Reddick discussed how there was conflict between some items discussed and the need to be consistent when reviewing topics of discussion. There was further discussion concerning the conversation that took place in regards to annexation at the prior meeting and the reasons discussed for not allowing the annexation.

There was discussion between Council members and Mr. McNeill concerning the amount of time needed for Thomasville to get their treatment plant up and running. Mr. McNeill and Manager Bailie advised members this would take approximately 3 years but that Thomasville planned to break ground sometime this month. Mr. McNeill advised members that Thomasville had negotiated with the State and have been able to acquire additional capacity for themselves as well as the City of Trinity during this process.

Manager Bailie made the following summary gleaned from discussion: *There seems to be a disconnect between the value that the city places on the rights of property rights owners to do what they want with their property verses you as elected officials representing the rights and concerns of the citizens who may want restrictions on property owners to ensure quality development. That is what zoning is all about and trying to find that happy medium is what we are probably trying to do. You can see it from both sides.*

Council member Lambeth discussed prior conversations that have taken place concerning hardships being placed on citizens. When we install sewer and require residents to hook up we place a hardship on some citizens. He discussed the Cold Brook Court petition and the resident that stated he could not afford to be assessed. This person had been approached 3 times by others offering to purchase this property. This is no different. Unfortunately we have been elected to the position to make the decisions that sometimes is not always looked at as the best decisions by all persons. We still have to do what is best for Cold Brook Court, and for our City's future. Council member Reddick made an excellent point. We do have a problem saying we do not want to do this but then we turn around and do something else. Council needs to do what is right for the citizens.

Council member Reddick discussed earlier conversations with a resident prior to her election concerning Highway 62 becoming Commercial property and her disagreement with this statement at that time. As I have served on Council and I have looked at the direction that development has taken in this direction I believe I will have to accept this happening even though I am not happy with it because I have lived on Highway 62 all my life.

Council member Labonte discussed the need to resurrect the Overlay District. We may need to review this again. There has been some changes made that some of us did not like. Maybe we can look at this again and somehow put temporary restrictions on some parts of it until we can get it written where it is more suitable for the conditions we need. We need an Overlay but not as it was originally written. Council member Lambeth discussed conversation with Council member Talbert and Planning/Zoning Chairman Sikes who is also a builder to sit down with me and look at this again because I do not believe we need to just drop this. I think we need to look at it and whether we do it as a group or if we sit down with 2 or 3 of us and try to hammer it out so that we come back and present it to everyone to see if they like it. If not we make changes. Council member Labonte stated he felt that it needed to be more practical that the way it was written.

There was further discussion between Council members concerning the need to continue trying to work to come up with an Overlay that everyone is happy with instead of throwing it out again. We need to hammer out our likes and dislikes. We need to work it out. There was further discussion concerning the need for buffers and how these help address appearance.

Mayor Andrews discussed prior conversations approximately 1 month ago with representatives from another City concerning their Overlay. They advised me their Overlay had been in place 2 years and it should have been in place 20 years. They advised me that was the biggest mistake they had made was not having this in place when the City started growing.

Guiderule #1: Share All Relevant Information
III. Trends in development

Manager Bailie provided handouts to Mayor and Council members for their information.

Guiderule #7: Discuss Undiscussable Issues
IV. Sidewalks and density- They are not 4-letter words

Manager Bailie advised Council that density was not bad. It is how it is worked into a total development. She discussed conversation at the Land Development Plan meeting concerning Traditional Neighborhood Development. This type of development has very intense development along with other things. We are currently allowing R-12 development and have totally banned sidewalks. If someone came in and wanted to do sidewalks we do not allow them. Archdale, Thomasville and High Point all require them. Here again it gets down to Trinity being the lowest common denominator. Not only do we not require them, we don't even let them put it in. With the R-12 I am very concerned with the number of driveways that you have and children playing in the street with cars on the street. It is much more congested than it is in R-40 or even R-20. Manager Bailie asked Council to let Planning/Zoning take another look at sidewalks.

Council member Lambeth discussed his earlier feelings against sidewalks. However if you think about this and look at a really dense populated area and you have grass or street to walk on, people walk on the street. It is a danger.

Council member Talbert discussed earlier conversation and the consideration of sidewalks on one (1) side. Mayor Andrews discussed the people living on the other side with small children. Mayor Andrews discussed an accident that took the life of a 4 year old child in a situation like this where the speed limit was 15 mph. Council member Meredith discussed conversation he had heard concerning the desire for commercial growth and to keep a low tax rate. When Council passes something that would bring some of these things in then the residents don't want it. Council member Meredith asked where sidewalks would come in on a 1, 2, or 5 acre lot. Manager Bailie stated that these areas would probably not have sidewalks. What I am asking Council is to please allow Planning/Zoning to take another look at it and see what everyone else is doing and come back to Council again with a recommendation for Council's consideration. The last time this came up it wasn't even required for R-20 or R-40 Zoning. It was required for R-12 and denser developments. Council member Meredith stated he could see the need for sidewalks in R-12 but not in R-20 or R-40. Council member Lambeth stated that he felt all Council members realized this.

Manager Bailie discussed the amount of money that was being expended by the City of Archdale at this time because they did not require sidewalks in the beginning. Trinity is in a position where we do not have development and are uniquely situated. We have vast areas of undeveloped space and we do not have to go back and try to redo something like so many others are doing. We know growth is coming and need to decide how to plan for it.

Council member Lambeth discussed the news articles on the TV concerning revitalization efforts by Winston Salem and Greensboro to make their communities more accessible and walkable communities. If we are listening a part of this affects Trinity. We need to make plans that will prevent us from redoing something. We will do it the first time. Council member Reddick discussed some of the buildings that the City of Thomasville had redone to try to draw the merchants back to the city and expressed her desire to make sure the City of Trinity did not have to do this.

Council member Talbert discussed the opportunity that the City of Trinity has to build the City the way they want it to look. We are not going to be able to redo some of the mistakes that we have already made or in some of the older parts of the City. You can't correct them with Overlays, but you can make a nice looking City with an Overlay.

Manager Bailie asked if it was the consensus of Council for Planning/Zoning to look at the sidewalks.

It was the consensus of Council for Planning/Zoning to review sidewalks and make a recommendation to the Council.

Annexation Update

Manager Bailie discussed prior meetings concerning annexation and if the City annexed would it take away from the Bond proceeds that is scheduled for the other phases. The answer to this is no. We need customers and need the revenue. On the other hand we do have the ability to decide what we want and whether we want to annex. The property has apparently been sold. The builder called me last week to find out what went on at our last meeting concerning the annexation. I advised him that what I heard was that the Council is interested in more upscale development and they have a real concern about maintaining the status quo. They have concerns about providing sewer to a new area when the rest of the residents don't have it. On the other hand we do know that if this were to go forward and they were to get sewer that would open up the opportunity to provide sewer to some of our current residents. That is the way it stands now. We have no annexation policies or procedures in place. I have been researching it and there is lots of things we can do. We are not going to jump into this. It will take some time for the staff to get this all together. Because we do not have ETJ that means that when someone does come to the City for annexation they must come with a rezoning request at the same time. We do not have anything in our ordinance to encourage upscale development. We need to be looking at this. Sidewalks would help and creating a Traditional Neighborhood District would certainly be one of the ways to do this.

Council member Bridges asked if there was a way to extend sewer to this area without annexation.

Manager Bailie discussed the density that would probably create a problem with County Zoning. If the City had ETJ we could dictate the Zoning and then just charge them outside rates which financially would be good. Since we do not have ETJ we can not dictate the zoning. Council member Meredith stated he felt the City had the upper hand because the City did not have to accept annexation into the city. Manager Bailie advised Council due to the heavy workload on staff it would not be possible to drop everything to figure out annexation procedures.

Council member Talbert discussed the convenience of this property to the drainage system. It does have a river going through it. Council member Meredith discussed how the developer could put the sewer in and solve the problem.

Darr Road

Mr. McNeill advised Council that the Darr Road Bid opening was scheduled for April 13, 2006. This will come to you at your Regular Council Meeting in April for award of the contract.

VII. Adjournment

With no other business to discuss, *Council member Bridges made a motion to adjourn the March 14, 2006 Pre-Agenda Meeting of the Trinity City Council at 6:33 p.m., seconded by Council member Labonte and approve unanimously by all Council members present.*

These minutes were approved as written by the Trinity City Council at their Regular Meeting held on April 18, 2006 upon motion by Council member Reddick, seconded by Council member Bridges, and approved unanimously by all Council members present.

Debbie Hinson, City Clerk

Fran Andrews, Mayor

Date

Date